

### **III. Amendments to the Drawings**

Replacement sheet 1, which includes changes to Figure 1, is attached.

Specifically, Figure 1 was amended to add a second mounting lug L and a second mounting tab 4 which are both indicated by dashed lines. These amendments are supported in the specification at paragraphs [0019], [0027] and [0030]. Paragraph [0030] has also been amended to recite that the second mounting lug L and tab 4 are schematic and for illustrative purposes only. These amendments were in response to an objection that the drawings under 37 CFR 1.83(a) did not show every feature of the invention specified in the claims. Specifically, the Examiner requested that the plurality of mounting tabs (claim 3) must be shown or cancelled from the claim. Accordingly, Applicants believe that these amendments have cured the respective objection.

#### **IV. Remarks**

Claims 1-16 were pending in this application. Claim 16 has been withdrawn from consideration. The present amendment cancels claims 2 and 15, adds new claims 17-22 and amends claims 1, 3-4 and 5-7 to more particularly point out and clarify Applicants' invention. No new matter has been added by the present amendment. After this amendment, claims 1, 3-14 and 17-22 will be pending.

Reconsideration of the application in view of the following remarks is respectfully requested.

#### **Objections to the Drawings**

Applicants' corrected and revised drawings address the Examiner's objections. As amended, all of the drawings are now believed to be in order.

#### **Rejections under 35 U.S.C. §112**

Claims 1-15 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants' regard as their invention. Claims 2 and 15 have been cancelled and therefore, the rejection of claims 2 and 15 are now moot.

Claim 1 has been amended to recite that the air-bag comprises part of the air-bag that forms the upper-most edge of the air-bag when the air-bag is

in the inflated state which extends downwardly from the roll to lie proximate a side part of the motor vehicle. This was in response to an objection that claim 1 was unclear. Specifically, the Examiner states that Figure 3 does not show the upper most edge of the air-bag extending downwardly from the roll to lie adjacent to a side part of the vehicle, rather it would appear that this limitation is only shown in Figure 1. The Examiner posits that it is commonly understood that the term “adjacent” is defined as members that are next to each other with no other structure between. Applicants believe that the amendment to claim 1, which replaces the limitation of “adjacent” with “proximate” has cured the 35 U.S.C. §112, second paragraph, rejection of claim 1 and its dependent claims 3-14.

Rejections under 35 U.S.C. §103

Claims 1-4 and 11-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,568,706 issued to Mueller (“Mueller”) in view of U.S. Patent No. 6,626,456 issued to Terbu (“Terbu”). Claim 2 has been cancelled by the present amendment and therefore, the rejection of claim 2 is now moot.

Claims 5 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mueller in view of Terbu and further in view of U.S. Patent Publication No. 2004/0108693 issued to Foster.

Accordingly, claims 1, 3-5 and 10-14 stand rejected under 35 U.S.C. §103(a).

*Allowable Subject Matter*

Claims 6-9 were indicated as being allowable if rewritten in independent form. Applicants have rewritten claim 6 in independent form. Claims 7-9 depend from claim 6 and are allowable therewith.

Claim 15 was indicated as being allowable if rewritten in independent form. Applicants have rewritten claim 1 to include the limitations of claim 15 and all intervening claims. Claims 3-5 and 10-14 depend from claim 1 and are allowable therewith.

*New Claims*

Claims 17-22 have been added by the present amendment. All of these claims are supported in the specification (paragraphs [0023], [0024] and [0031] and Figures 1-3) and there is no new matter. Moreover, Applicants believe these claims are patentable for their own specific elements recited therein.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted,

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Date

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Attachment: Replacement Sheet(s) of Drawings.